IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 15TH MARCH 2007 / 24TH PHALGUNA 1928

OP.No. 30530 of 2002(H)

PETITIONER:
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1. GOPALAKRISHNA PILLAI, AGED 52 YEARS,
S/O. KUTTAN PILLAI, SANDHYA NIVAS, MEENADU,
NEDUNGOLAM P.O., KOLLAM (REGISTERED OWNER OF THE
VEHICLE BEARING NO.KL.2/J 1144).

2. SANTHAMMA,
SANDHYA NIVAS, MEENADU, NEDUNGOLAM P.O.,
KOLLAM (KL.2/J 144).

3. SINDHU,
SANDHYA NIVAS, MEENADU, NEDUNGOLAM P.O.,
KOLLAM (KL.2/J 1114).

4. B.SURESH KUMAR,
VADAKKEBHAGATHU VEEDU, MEENADU, NEDUNGOLAM P.O.,
KOLLAM (KL.2/L 1414, KL.2/D414, KL.2/J 414).

5. P.G.BALAKRISHNA PILLAI,
VADAKKEBHAGATHU VEEDU, MEENADU, NEGUNGOLAM P.O.,
KOLLAM (KL.02/K 7414, KL.02/K 0414, KL.2/H 5014).

BY ADV. SRI.B.S.SURESH (CHIRAKKARA)

RESPONDENTS:
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1. INSURANCE REGULATORY AND
DEVELOPMENT AUTHORITY, REPRESENTED BY ITS CHAIRMAN
III FLOOR, PARIARAMA BHAVAN, 5-9-58/B,
FATCH MAIDAN ROAD, BASHEER BAGH, HYDERABAD.

2. TARIFF ADVISORY COMMITTEE (GENERAL
INSURANCE), REPRESENTED BY ITS CHAIRMAN,
ADOR HOUSE, 6, K.DUBASH MARG, MUMBAI-400 023.

3. THE REGIONAL MANAGER, UNITED INDIA INSURANCE CO. LTD., SHARANYA, HOSPITAL ROAD, COCHIN – 11.

4. THE REGIONAL MANAGER, ORIENTAL INSURANCE CO. LTD., METRO PALACE, OPP. NORTH RAILWAY STATION, ERNAKULAM.

5. THE REGIONAL MANAGER, NATIONAL INSURANCE COMPANY LTD., MUTHOOT TOWERS, M.G.ROAD, KOCHI – 35.

6. THE REGIONAL MANAGER, NEW INDIA ASSURANCE CO. LTD., 36/707, KANDANKALATHY TOWERS, M.G.ROAD, KOCHI – 11.

BY ADV. SRI.K.L.NARASIMHAN, SC TAC/IR & DA

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 15/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

O.P.No. 30530/2002

ORDER ON CMP NO. 51630/2002 IN O.P.No. 30530/2002

DISMISSED.

15/03/2007 SD/- (C.N.RAMACHANDRAN NAIR, JUDGE)

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1 COPY OF EXTRACT OF THE INDIA MOTOR TARIFF (TARIFF ORDER)

EXT.P2 COPY OF THE ORDER WITH ITS NO. IRDA/ RCS/MTP/10/2002 DATED 17/5/2002.

EXT.P3 COPY OF THE CIRCULAR ISSUED BY INSURANCE REGULATORY AND DEVELOPMENT AUTHORITY DATED 28/5/2002.

EXT.P4 COPY OF THE CIRCULAR ISSUED BY INSURANCE REGULATORY AND DEVELOPMENT AUTHORITY DATED 28/6/2002.

EXT.P5 COPY OF THE CIRCULAR ISSUED BY DEPUTY MANAGER, UNITED INDIA INSURANCE CO. DATED 04/7/2002.

// TRUE COPY //

PA TO JUDGE

jg

C.N.RAMACHANDRAN NAIR, J.

O.P. No. 30530 of 2002 H

Dated, this the 15th day of March, 2007

J U D G M E N T

Since the issue raised is covered vide judgment of this Court in OP No. 31646/2002 and connected cases dated 12/12/2002, this original petition is also disposed of with the same findings, observations and directions as in that judgment.

(C.N.RAMACHANDRAN NAIR, JUDGE.)

jg